

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS TOY, MELVA TOY, and
SUPERIOR BARREL AND DRUM CO., INC.,

Defendants.

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) HON. JOSEPH H. RODRIGUEZ
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) Case No. 1:17-cv-07320-JHR-AMD
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[PROPOSED] ORDER OF ENTRY OF FINAL JUDGMENT BY DEFAULT
AGAINST DEFENDANTS THOMAS TOY, MELVA TOY, AND
SUPERIOR BARREL AND DRUM CO., INC.

WHEREAS Defendants Thomas Toy, Melva Toy, and Superior Barrel and Drum Co., Inc., are in default, having failed to plead or otherwise defend in this case;

NOW, THEREFORE, upon Plaintiff the United States of America's motion for entry of a default judgment under Fed. R. Civ. P. 55(b)(2) against the Defendants, and for good cause shown;

It is hereby ORDERED, ADJUDGED AND DECREED that Plaintiff's motion for default judgment be granted and that judgment in favor of the United States in the amount of \$ 6,370,093 is entered against each of the Defendants Thomas Toy, Melva Toy, and Superior Barrel and Drum Co., Inc., jointly and severally, for the costs incurred by the United States through April 30, 2017, in response to the Superior Barrel and Drum Site in Elk Township, Gloucester County, New Jersey; and

It is hereby FURTHER ORDERED, ADJUDGED AND DECLARED, in accordance with section 113(g)(2) of the Comprehensive Environmental Response, Compensation, and

Liability Act, 42 U.S.C. § 9613(g)(2), that each of the Defendants Thomas Toy, Melva Toy, and Superior Barrel and Drum Co., Inc. is jointly and severally liable for all further costs incurred by the United States not inconsistent with the National Contingency Plan in response to the Superior Barrel and Drum Site.

ENTERED this _____ day of _____, 2018.

HON. JOSEPH H. RODRIGUEZ
United States District Judge